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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 v.)

2:10-CR-525-JAD-(PAL)

11 FRANK PHILLIP GOLDSTEIN,)

12 Defendant.)

13 PRELIMINARY ORDER OF FORFEITURE

14 This Court finds that on March 28, 2014, defendant FRANK PHILLIP GOLDSTEIN pled
15 guilty to Counts One, Three and Four of a Four-Count Criminal Indictment charging him in Count
16 One with Carjacking in violation of Title 18, United States Code, Section 2119; in Count Three with
17 Interference with Commerce by Armed Robbery in violation of Title 18, United States Code, Section
18 1951; and in Count Four with Use of a Firearm During and in Relation to a Crime of Violence in
19 violation of Title 18, United States Code, Section 924(c)(1)(A)(i) ~~and (ii)~~ Criminal Indictment, ECF
20 No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

21 This Court finds defendant FRANK PHILLIP GOLDSTENI agreed to the forfeiture of the
22 property set forth in the Forfeiture Allegations of the Criminal Indictment. Criminal Indictment, ECF
23 No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

24 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
25 has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal
26 Indictment and the offenses to which defendant FRANK PHILLIP GOLDSTEIN pled guilty.

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
2 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 3 1. a HI-Point .380 acp, model#CF380, Serial # P854096; and
 - 4 2. any and all ammunition
- 5 (all of which constitutes "property").

6 This Court finds the United States of America is now entitled to, and should, reduce the
7 aforementioned property to the possession of the United States of America.

8 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
9 United States of America should seize the aforementioned property.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
11 FRANK PHILLIP GOLDSTEIN in the aforementioned property is forfeited and is vested in the
12 United States of America and shall be safely held by the United States of America until further order
13 of the Court.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
15 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
16 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
17 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
18 name and contact information for the government attorney to be served with the petition, pursuant to
19 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
21 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
22 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
23 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
24 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
25 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
26 petition and the relief sought.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
2 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
3 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
4 after the first day of the publication on the official internet government forfeiture site,
5 www.forfeiture.gov.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
7 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
8 following address at the time of filing:

9 Michael A. Humphreys
Assistant United States Attorney
10 Daniel D. Hollingsworth
Assistant United States Attorney
11 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
12 Las Vegas, Nevada 89101.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
14 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
15 following publication of notice of seizure and intent to administratively forfeit the above-described
16 property.

17 DATED this ^{28th} ~~20~~ day of May, 2014.

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21 UNITED STATES DISTRICT JUDGE
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